

in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims. Independent claims 1 and 6 recite a product management system comprising a package for packing a product, that the product is provided with a semiconductor device, and that the package is provided with a resonance circuit. Independent claims 9 and 10 recite that a semiconductor device is attached to a product, that the product is contained in a package, and that a resonance circuit is attached to the package. In other words, the claims require a product with a semiconductor device packed or contained in a package with a resonance circuit. For the reasons provided below, Bridgelall and Van De Walle, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

With respect to claims 1 and 6, the Official Action asserts that Bridgelall teaches "a package (20, Fig. 1) for packing a product, wherein the product (29, Fig. 2) is provided with a semiconductor device (RFID tags) (22, Fig. 1) ... wherein the package (20, Fig. 1) is provided with a resonance circuit (relay device) (23, Fig. 2) comprising an

antenna coil (26 and 27, Fig. 2)" (page 2, Paper No. 20090313; emphasis added). Contradictorily, in the "Response to Arguments" section, the Official Action asserts that "Bridgelall teaches the package (29, Fig. 2) with RFID tag (23, Fig. 2) attached to the package, which is capable of packing the product" (page 9, *Id.*; emphasis added). That is, the Official Action appears to confuse the claim terms "package" and "product." It is not clear whether the Official Action is relying on "29, Fig. 2" to teach a product or a package.

In any event, Figure 1 of Bridgelall (reproduced below) is prior art to Bridgelall and appears to simply disclose that an RFID tag 22 is provided with each container 20. That is, Figure 1 does not teach or suggest a product with a semiconductor device, and a package for the product provided with a resonance circuit.

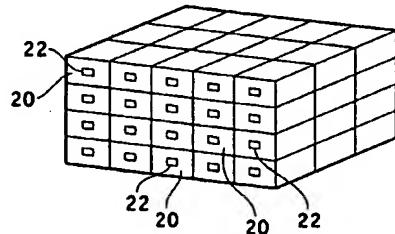


FIG. 1
(PRIOR ART)

Further, Figure 2 of Bridgelall (reproduced below) appears to disclose a container 24, an RFID relay device 23 on the container 24, where the RFID relay device 23 includes antennas 26 and 27, transmission line 28 and RFID tags 32 (see Figure 3, reproduced below).

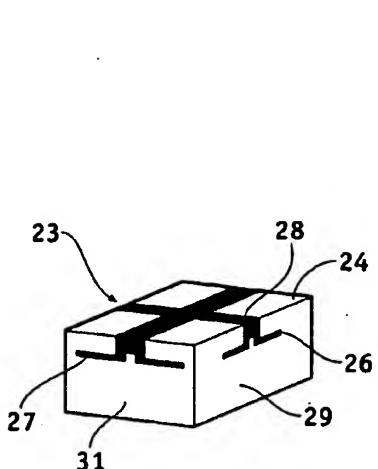


FIG. 2

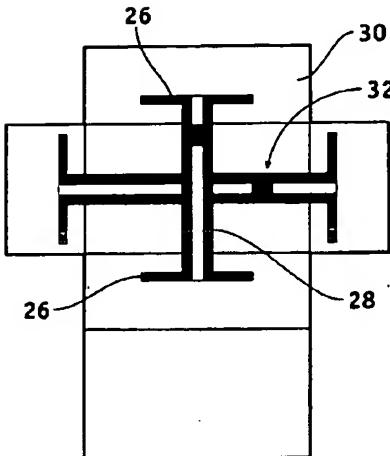


FIG. 3

It is important to note that Bridgelall does not teach or suggest that the prior art device shown in Figure 1 is or could be combined with the embodiment shown in Figures 2 and 3 of Bridgelall. Specifically, the container 20 in Figure 1 is prior art, and the container 24 having sidewalls 29 and 31 in Figure 2 is one embodiment of Bridgelall. However, the Official Action has not demonstrated how or why one of ordinary skill in the art at the time of the present invention would have necessarily combined features of the device shown in Figure 1 with the features of the device shown in Figures 2 and 3 or any of the other embodiments described in Bridgelall.

In the prior art device shown in Figure 1, since the RFID tags 22 are provided on one side of the device, interference caused by the containers 20 may occur between the RFID tags 22 and an RF interrogator (column 1, ¶¶ 3-5). Bridgelall merely seeks to improve on the prior art device shown in Figure 1 by providing antennas on five sides of the device instead of just one. However, Bridgelall still only teaches a container with an RFID tag. Specifically, Bridgelall teaches an RFID relay device 23 where a signal is received by an antenna and transmitted through antennas, for example, on two different sidewalls of the container, and the signal may be transmitted to an RFID tag (¶ 27). However, Bridgelall does not teach or suggest a package for packing a product, where the product is provided with a semiconductor device and where the package is provided

with a resonance circuit; or that a semiconductor device is attached to a product, that the product is contained in a package, and that a resonance circuit is attached to the package.

Van De Walle does not cure the deficiencies in Bridgelall. Van De Walle is relied upon to allegedly teach a semiconductor device comprising a thin film integrated circuit comprising a thin film transistor and an antenna (page 3, Paper No. 20081006). However, Bridgelall and Van De Walle, either alone or in combination, do not teach or suggest that Bridgelall should be modified to include a package for packing a product, where the product is provided with a semiconductor device and where the package is provided with a resonance circuit; or that a semiconductor device is attached to a product, that the product is contained in a package, and that a resonance circuit is attached to the package.

With respect to claims 9 and 10, the Official Action asserts that Bridgelall teaches "wherein the semiconductor device (RFID tags) (22, Fig. 1) is attached to a product (42, Fig. 5), the product (42, Fig. 5) is contained in a package (40, Fig. 5), the resonance circuit (28, Fig. 5) is attached to the package (40, Fig. 5)" (page 6, Paper No. 20090313). The Applicant respectfully disagrees and traverses the assertions in the Official Action.

The reference numeral 42 is a bottle, and Bridgelall does not teach or suggest that semiconductor devices are attached to the bottle 42. Also, the container 40 is provided with a relay device including antennas 26 and 27, a transmission line 28 and RFID 32. Although Bridgelall discloses, for example, bottles 42 of fluid (e.g. beverages) (¶ 28; see Figure 5, reproduced below), Bridgelall does not teach or suggest that the bottles 42 could or should be provided with semiconductor devices or RFIDs.

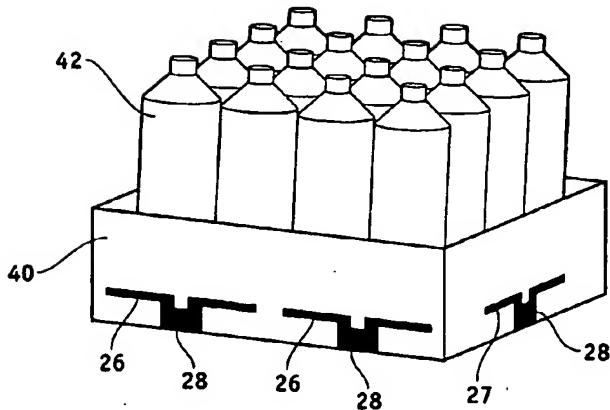


FIG. 5

Further, in the "Response to Arguments" section, the Official Action asserts that "the resonance circuit is inherent within the RFID tag" (page 9, Paper No. 20090313). However, the Official Action still has not demonstrated a *prima facie* case of obviousness how this teaching results in a product management system comprising a package for packing a product, that the product is provided with a semiconductor device, and that the package is provided with a resonance circuit; or that a semiconductor device is attached to a product, that the product is contained in a package, and that a resonance circuit is attached to the package. In other words, the Official Action has not shown how the prior art necessarily teaches or suggests a product with a semiconductor device inside a package with a resonance circuit.

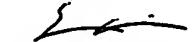
Therefore, the Applicant respectfully submits that Bridgelall and Van De Walle, either alone or in combination, do not teach or suggest the features of the present independent claims.

Since Bridgelall and Van De Walle do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Respectfully submitted,


Eric J. Robinson
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789